



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 4752

Kaoru FUKUDA et al.

Art Unit: 1745

Application No.: 10/720,280

Examiner: Alix E. Echelmeyer

Filed: November 25, 2003

Attorney Dkt. No.: 101175-00041

For: MEMBRANE-ELECTRODE STRUCTURE AND POLYMER ELECTROLYTE
FUEL CELL USING THE SAME

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: January 23, 2007

Sir:

In response to the Office Action dated December 13, 2006, Applicants hereby provisionally elect Claims 1-2 and 8-12 of Species b, drawn to a polymer electrolyte membrane fuel cell wherein an oxidant gas 50% or more relative humidity is supplied to the cathode electrode. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

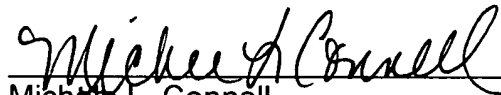
This election is made **without traverse**. Consideration and allowance of all pending claims are respectfully requested.

Applicants respectfully submit that Claims 1 and 2 are generic to all species. Accordingly, Applicants, upon the allowance of generic Claim 1 and/or generic Claim 2, retain the right to request rejoinder of the claims directed to the non-elected species as

provided by 37 C.F.R. § 1.141. Furthermore, Applicants reserve the right to file one or more divisional applications directed to the non-elected claims.

It is believed that extensions of time are not required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 01-2300 referencing docket number 101175-00041. A duplicate copy is enclosed.

Respectfully submitted,



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